

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RAFAEL RIVERA.

Petitioner,

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JEFFREY A. UTTECHT.

### Respondent.

CASE NO. 11-cv-5693RJB/JRC

ORDER GRANTING IN FORMA  
PAUPERIS STATUS AND  
DIRECTING PETITIONER TO  
PROVIDE ONE ADDITIONAL  
COPY OF THE PETITION FOR  
SERVICE

The petitioner in this action is seeking habeas corpus relief from state convictions and sentences. This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b) (1) (A) and (B) and Local Magistrate Judge Rules MJR 3 and MJR 4.

Petitioner has filed an application for leave to proceed in forma pauperis, (ECF No. 1). Petitioner does not appear to have access to funds to afford the \$5.00 filing fee. Therefore, he is entitled to in forma pauperis status. His motion is **GRANTED**. The court has one copy of the petition on file for service. A second copy is needed.

ORDER GRANTING IN FORMA PAUPERIS  
STATUS AND DIRECTING PETITIONER TO  
PROVIDE ONE ADDITIONAL COPY OF THE  
PETITION FOR SERVICE - 1

1 Receiving in forma pauperis status does not relieve petitioner from providing sufficient  
2 copies for service.

3 Petitioner will have until November 4, 2011, to provide the second copy of the 93  
4 page document. Failure to provide a second copy will delay service of the petition and  
5 may result in a Report and Recommendation that the petition be dismissed for lack of  
6 prosecution and failure to comply with a court order.

7 Dated this 28th day of September, 2011.

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10 J. Richard Creatura  
11 United States Magistrate Judge  
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